

BILL NO. Z-75-12- 12

ZONING MAP ORDINANCE NO. Z- last


AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated
a M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort
Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amend-
ments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C-14,
referred to therein, established by Section 9, Article III of said Chapter as
amended, are hereby changed accordingly, to-wit:

Part of the Northwest Quarter of the Southeast Quarter of Section 25
Township 30 North, Range 12 East, in Allen County, Indiana, more
particularly described as follows, to-wit: Commencing at the center
of the aforesaid section; thence Southerly along the West line of
the Southeast Quarter of said Section 25, being also coincident with
the East line of the Plat of HOME GARDEN'S ADDITION as recorded in
Plat Book 8, Page 79, in the Office of the Recorder of said County,
a distance of 1270.0 feet to a post stub found on the North line of
BUTZ SUBDIVISION as recorded in Plat Book 18, Page 48, in the
office of said Recorder; thence Northeasterly along the line aforesaid
by a deflection left of 106 degrees 05 minutes, a distance of 568.6 feet
to a pipe found; thence Northerly by a deflection left of 73 degrees
17 minutes, a distance of 390.6 feet to a pin found; thence Northeasterly
by a deflection right of 66 degrees 06 minutes, a distance of 430.9 feet
to the centerline of former U.S. highway No. 27; commonly called the
Old Decatur Road; thence Northwesterly along the line aforesaid by a
deflection left of 94 degrees 47 minutes, a distance of 614.4 feet to the
North line of the Southeast Quarter of said Section 25; thence Westerly
along the line aforesaid, by a deflection left of 61 degrees 12 min. a
distance of 657.4 feet to the point of beginning; containing 18.88 acres
of land more or less; EXCEPTING therefrom 45 feet off the Northeasterly
boarder thereof as released and quit-calmed to the State of Indiana for
the benefit of the State Highway Commission per Deed Record 355, page
601; containing 0.65 acres, more or less, of land; containing a Net
area of 18.23 acres, more or less, of land

SECTION 2. This Ordinance shall be in full force and effect from
and after its passage, approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 12-9-75 Charles W. Wintersman
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BURNS	_____	<input checked="" type="checkbox"/>	_____	_____	_____
HINGA	_____	<input checked="" type="checkbox"/>	_____	_____	_____
HUNTER	_____	<input checked="" type="checkbox"/>	_____	_____	_____
MOSES	_____	<input checked="" type="checkbox"/>	_____	_____	_____
NUCKOLS	_____	_____	_____	<input checked="" type="checkbox"/>	_____
SCHMIDT, D.	_____	<input checked="" type="checkbox"/>	_____	_____	_____
SCHMIDT, V.	_____	<input checked="" type="checkbox"/>	_____	_____	_____
STIER	_____	<input checked="" type="checkbox"/>	_____	_____	_____
TALARICO	_____	<input checked="" type="checkbox"/>	_____	_____	_____

DATE: 2-10-76 Charles W. Wintersman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)
Charles W. Wintersman
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 9, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-12-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 19, 1976,

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflict with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 26, 1976.

Certified and signed this
29th day of January, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary

Bill No. Z-75-12-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. C-14

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Carrot PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

John Nuckols
Paul M. Burns
Vivian G. Schmidt
Winfield C. Moses, Jr.
Donald J. Schmidt

2-10-76 CONCURRED IN

DATE _____ CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 038

FT. WAYNE, IND.

Nov. 7 1975

RECEIVED FROM

Dick Smoother

\$ 50⁰⁰

THE SUM OF

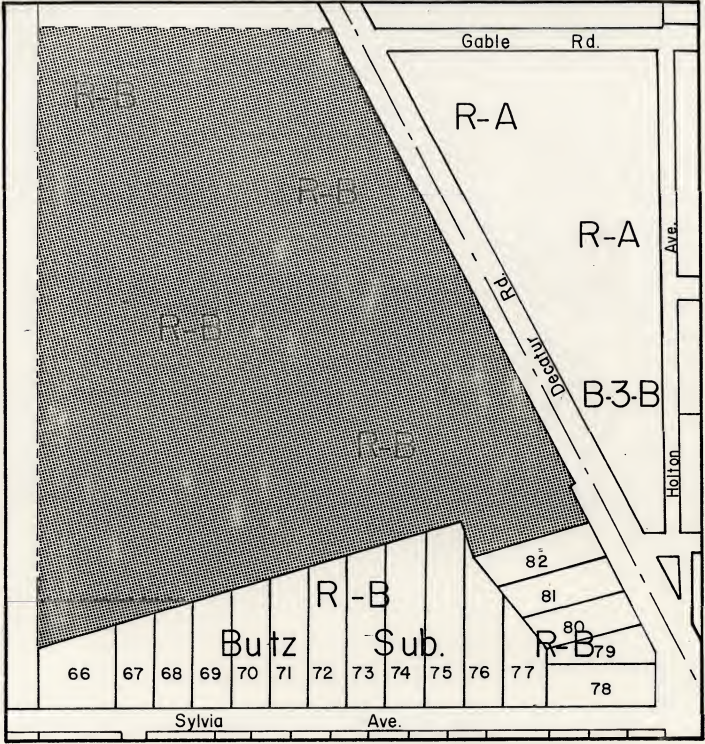
Fifty dollars


DOLLARS

ON ACCOUNT OF

Reasoning - 5¹⁰⁰ W. CornerGable Rd. & Old Decatur
Franklin

AUTHORIZED SIGNATURE



 To be rezoned from R-B to M-1

C-14
11-10-75
L.S.

Z-75-12-12



TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

X/We WILLIAM H. FORD and HENRY E. FORD
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-B district to a/an M-1 district the property described as follows:
Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to-wit: Commencing at the center of the aforesaid section; thence Southerly along the West line of the Southeast Quarter of said Section 25, being also coincident with the East line of the Plat of HOME GARDEN'S ADDITION as recorded in Plat Book 8, Page 79, in the Office of the Recorder of said County, a distance of 1270.0 feet to a post stub found on the North line of BUTZ SUB-DIVISION as recorded in Plat Book 18, Page 48, in the office of said Recorder; thence Northeasterly along the line aforesaid by a deflection left of 186 degrees 05 minutes, a distance of 568.6 feet to a pipe found; thence Northerly by a deflection left of 73 degrees 17 minutes, a distance of 390.6 feet to a pin found; thence Northeasterly by a deflection right of 66 degrees 06 minutes, a distance of 430.9 feet to the centerline of former U.S. highway No. 27; commonly called the Old Decatur Road; thence Northwesterly along the line aforesaid by a deflection left of 94 degrees 47 minutes, a distance of 614.4 feet to the North line of the Southeast Quarter of said Section 25; thence Westerly along the line aforesaid, by a deflection left of 61 degrees 12 min. a distance of 657.4 feet to the point of beginning; containing 18.88 acres of land more or less; EXCEPTING (Legal Description) therefrom 45 feet off the North-easterly border thereof as released and quit-claimed to the State of Indiana for the benefit of the State Highway Commission per Deed Record 355, Page 601; containing 0.65 acres, more or less, of land; containing a Net area of 18.23 acres, more or less, of land.

18 acres Southwest corner of Gable Road and Old Decatur Road

(General Description for Planning Staff Use Only)

X/We, the undersigned, certify that ~~X/XX~~ We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

William H. Ford
William H. Ford

134 West High Street
Bryan, Ohio

HENRY E. FORD
Henry E. Ford

134 West High Street
Bryan, Ohio

(Name)

(Address)

(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:
Richard I. Snouffer 2000 Fort Wayne Bank Building
(Name) (Address) Fort Wayne, Indiana 46802 742-8235
(Telephone Number)

OFFICE OF **HOFER AND DAVIS, INC.**

CIVIL ENGINEERS & LAND SURVEYORS
FORT WAYNE, INDIANA

A. K. HOFER P.E. No. 72
(1968) L.S. No. 10504

CARLA A. HOFER P.E. No. 7122
L.S. No. 10031

WILLIAM S. DAVIS L.S. No. 5-0053
L.S. No. 18114 Michigan

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated: all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No.

18.55 acres of land, more or less, in the Northwest Quarter of the Southeast Quarter of Section 25, Township 30 North, Range 12 East and West U. S. Highway No. 27, and more particularly described as follows:

Commencing at the center of the aforesaid section; thence South 0 degrees, 39 minutes West, 1271.7 feet along the North and South centerline of the aforesaid section to an iron pipe; thence North 74 degrees, 23 minutes East, 570.9 feet to a post; thence North 0 degrees 45 minutes East, 389.2 feet to a stone; thence North 67 degrees 08 minutes East, 433.7 feet to the centerline of U. S. Highway No. 27; thence North 27 degrees 35 minutes West along the centerline of U. S. Highway No. 27 to its intersection with the East and West centerline of the aforesaid section; thence North 88 degrees 35 minutes West along the East and West centerline of the aforesaid section to the place of beginning. (Deed Description - Wainscott to Miller, Deed Record 434, page 238.)

NOTE: The deed description has no dimensions along the North line and the Northeasterly line and is hereinafter redescribed as follows:

Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows to-wit:

Commencing at the center of the aforesaid section; thence Southerly along the West line of the Southeast Quarter of said Section 25, being also coincident with the East line of the Plat of HOME GARDEN'S ADDITION as recorded in Plat Book 8, page 79, in the Office of the Recorder of said County, a distance of 1270.1 feet to a post stub found on the North line of BUTZ SUB-DIVISION as recorded in Plat Book 18, page 48, in the office of said Recorder; thence Northeasterly along the line aforesaid by a deflection left of 106 degrees 05 minutes, a distance of 568.6 feet to a pipe found; thence Northerly by a deflection left of 73 degrees 17 minutes, a distance of 390.6 feet to a pin found; thence Northeasterly by a deflection right of 66 degrees 06 minutes, a distance of 430.9 feet to the centerline of former U. S. Highway No. 27, commonly called the Old Decatur Road; thence Northwesterly along the line aforesaid by a deflection

(continued

IN WITNESS WHEREOF, I place my hand and seal, this 9 day of July, 1975

Carla A. Hofer

Florence Miller
Estate.

SHEET No. 2

left of 94 degrees 47 minutes, a distance of 614.4 feet to the North line of the Southeast Quarter of said Section 25; thence Westerly along the line aforesaid, by a deflection left of 61 degrees 12 minutes, a distance of 657.4 feet to the point of beginning; containing 18.88 acres of land, more or less; EXCEPTING therefrom 45 feet off the Northeasterly border thereof as released and Quit-claimed to the State of Indiana for the benefit of the State Highway Commission per Deed Record 355, page 601; containing 0.65 acres, more or less, of land; containing a NET AREA of 18.23 acres, more or less, of land; SUBJECT TO a 5 ft. x 15 ft. easement and 5 ft. x 30 ft. easement for guy wire purposes to Indiana & Michigan Electric Company as recorded in Document No. 74-03805; SUBJECT TO a blanket easement to Indiana Service Corporation recorded in Deed Record 404, page 21.

NOTE:

- (1) The legal width of the right-of-way on the Old Decatur Road is a matter that bears a current title review.
- (2) RE: Easement to Indiana & Michigan Electric Company, Document No. 74-03805. We cannot identify the position of the easement described in the first paragraph of said Document.

IN WITNESS WHEREOF, I place my hand
and seal this 9th day of July 1975.

--- Carl A. Hofer ---

Reference Survey Map
Scale 1 In = 100 Ft.
13" x 18"

CENTER
SEC. 25
730N. RIDE

N 88°35'W NO DIM. DEED
657.4 ACT.

NORTH LINE

of NW 1/4 of SE 1/4 SEC 25-30

21
EPP
FIND
INTER.

22

23

24

25

26

27

28

29

30

31

32

33

34

ADDITION
page 78

GARDENS
FLAT BOOK 8

HOME

WEST LINE SE 1/4 SEC 25-30-12
50°30'W 1271.7 DEED
1270.1 ACT.

75' fence on line.

75' fence

75' fence

75' fence

Post
sub
find
pin set

50' fence

89°15'

73°55'

75' fence

25 EAST MT TO 18M
ON 685 P 203

D.R. 434 p 238

WAINSCOTT TO MILLER

18.55 ± MORE OR LESS DEED

18.88 ± 1975 DMD 0.3445- 0.27 EW 85°10'

0.65 ± R/W

18.23 ± NET

N 67°06'E 433.7 DEED
430.9 ACT.

1.82 ±
AKH CERT.
DTR 1 JUNE 1940

3 ±
AKH CERT.
DTR 1 JUNE 1940

N 74°23'E 570.9 DEED
568.6 ACT.

S 1/4 EASEMT TO
14M DE. NO. 74 03805

BUTZ

SUB.

67 68 69 70

71 72

FLAT BOOK 18 P. 73

SYLVIA AVENUE

BOUNDARY
PART of the N.W. 1/4 of
1/4 NW 1/4, RIDE 12
FLORENCE

I'm Steve Taylor, son of Mr. and Mrs. William Taylor, and live at 1209 Sylvia Ave. My mother is president of the south suburban civic assoc. *and I am speaking for the benefit of which the community is better off as being a residence of this neighborhood myself for better*

than sixteen years, this is where I've grown up. We of the South suburban civic association have witnessed many changes in our area. We've seen wooded acreage all around us transformed from beautiful rolling hills shaded with graceful oak trees and foliage to shopping centers, gas stations, and a mall. We have also witnessed the removal a junkyard and a raceway; both an eyesore to our community. Rezoning the acreage in the afore mentioned bill from RB Residential to M1 ~~heavy~~ industry would be a great injustice to our community which we have strived so hard to maintain as a pleasant place to live. The residence in this area feel that this would be spot zoning if this is rezoned since we do not have any ~~heavy~~ industrial zoned lots around us.

We are here tonight to oppose this rezoning. I have a petition with better than ⁷⁵~~50~~ signatures of residents from this area opposing this rezoning. In the past sixteen years, with the help of the City Planning Commission and other governmental agencies, we have managed to clean up the area of junkyards and other non-conforming businesses. We have seen great improvements in the last few years. ^(a) If this rezoning is approved it would be a step backwards.

As taxpaying citizens we strongly request that the City Planning Commission not recommend the rezoning of this parcel of ground.

We, the undersigned members of the South Suburban Civic Association, oppose the rezoning of a parcel of ground containing 18 acres, more or less, generally located at the southwest corner of Gable Road and Old Decatur Road, lying approximately 268 feet north of Sylvia Avenue...north of the Duta Subdivision. This is under Bill No. 2-75-12-12---from "RE" to "R1".

1. Mrs. Wm. J. Taylor, 1209 Sylvia Ave.
2. "Clos M. Shaleon 1328 Sylvia Ave.
- 4 Mr. & Mrs. Richard Kohne Sylvia Ave.
- 6 Mr. & Mrs. Alvin Brown - 1029 Sylvia Ave.
- 7 Arthur Reid Gary St.
- 8 Mrs. Arthur Reid Gary St.
- 9 Mrs. James (Patience) Burdette 1133 Seddenmeyer Rd.
- 10 Mrs. F. L. Brown 1223 Seddenmeyer Rd.
- 11 Robert L. Smith 1223 Seddenmeyer Rd.
- 12 Mrs. M. Brown 1029 Sylvia Ave.
- 14 Mr. & Mrs. Arthur G. Gorman
- 15 Mr. D. F. Gorman Gary St.
- 16 Helen I. Cress
1230 Sylvia
- 18 Mr. & Mrs. Walter W. Crow - 1324 Sylvia Ave.
1324 Sylvia Ave.
- 19 Chickie Platt 1332 Sylvia Ave.
- 20 Mrs. Janet Beald
1208 Sylvia St.

- 21 Kelly, Helen
1204 Sylvia Ave.
- 22 Dennis Murphy
1118 Sylvia St.
- 23 Louise E. Heckerfeld
1103 Sylvia St.
- 24 Alex Andringa
7022 Gary St.
- 25 Willie G. Houston
7028 Gary St.
- 26 Eugene J. Baiter
7031 Gary St.
- 27 Joseph J. Sabli
1132 Saddleman Ave.
- 28 Kim C. Blain
1215 Saddleman Ave.
- 29 Dennis M. Carey
1215 Saddleman Ave.
- 30 Mrs. Lucie Salway St.
7024 Gary St.
- 31 Mrs. J. W. Wornay.
1415 Salmon Rd.
- 32 William J. Taylor
1209 Sylvia Ave.

We, the undersigned members of the South Suburban Civic Association, oppose the rezoning of a parcel of ground containing 18 acres, more or less, generally located at the southwest corner of Cable Road and Old Decatur Road, lying approximately 268 feet north of Sylvia Avenue...north of the Butz Subdivision. This is under Bill No. Z-75-12-12--from "RE" to "M1".

Marshall J. Taylor, President

Mr & Mrs Luther Horbeck

Mr & Mrs Joseph O'Rice 6502 Decatur Rd

James & Ruth Jackson 1410 Cable Rd

Mr & Mrs Smith 1524 Cable Ave

Ronald Holst 1530 Cable Rd

Mr & Mrs Sandra Heyman 6522 Winter St

Mr & Mrs Thomas Michael 4930 Winter St, 447-5071

Mr & Mrs Jimmy L Schiele 6414 Winter St

Mr & Mrs C. Brannen 6501 Winter St, 447-5071

Mr & Mrs Jack Heffner 6328 Winter St, 447-5071

Mr & Mrs ... 6320 Winter St

Mr & Mrs ...

Mr & Mrs ...

Mr & Mrs Robert P. Smith

Cliff R. Huffman

my Howell, 14th century or so.

14th Century Book.

1728 - nature lane

Sept 6 Candlish 1709 Goodland & Co.

None Completed of order all are

Mr. Craig A. Bo 4502 Decatur Rd.

Woonka yamrur 6409 DECHTUN RD.

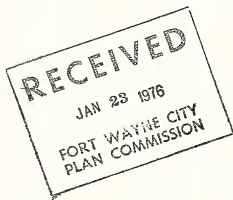
6502 Decatur Road
Ft. Wayne, IN. 46816

Dear Sirs:

As a concerned citizen who attended a public hearing in room 910 of the City-county Building on January 19, I would like to clear up something that I don't quite understand. I left the meeting in a very confused state after overhearing Mr. Ford, owner of 18 acres on the southwest corner of Cable and Decatur Roads, state very confidently to a member of the South Civic Association, that his proposal would go through no matter what. I feel that this was a broad statement to be made under the circumstances, as we had approximately 30 residents in attendance in favor of our petition against rezoning this land from residential to light industrial use. I feel the council should consider fully the 70 signatures of property owners when reviewing the zoning. Thank you.

Sincerely,

Mrs + Mrs Joseph Orrie



TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-75-12-12

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following described property:

A parcel of ground containing 18 acres, more or less, generally located at the
southwest corner of Gable Road and Old Decatur Road, lying north of Butz Subdivision..

From "RB" to "MI"

EFFECT OF PASSAGE Property is presently zoned an "RB" District - Suburban
Residential. Petitioners are requesting an "MI" District - Light Industrial.

EFFECT OF NON-PASSAGE Property would remain an "RB" District

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulations